

STAFFORD COUNTY SCHOOL BOARD

Agenda Consideration

TOPIC: Approval of Resolution:
Condemnation of Certain Real
Property

ITEM NO.: 10I

PREPARED BY: Scott Horan,
Executive Director
Planning & Construction

MEETING: June 20, 2006

ACTION DATE: July 11, 2006

Andre' A. Nougaret,
Assistant Superintendent
for Support Services

ACTION REQUESTED BY THE SUPERINTENDENT: That the School Board approve a condemnation resolution to acquire real property (land) in support of the installation of a traffic signal and road turn lanes at the intersection of Mountain View and Shelton Shop Roads.

KEY POINTS:

1. During the land feasibility study for the Armstrong Land Tract and the subsequent design and development of the site, a traffic impact analysis (TIA) was commissioned to document the impact of the planned additional traffic to the area and establish a road map for required traffic improvements. Specifically, the TIA analyzed the road networks adjacent to the Armstrong tract including but not limited to Mountain View Road, the intersection at Choptank and Mountain View Roads and the intersection at Mountain View and Shelton Shop Roads. The TIA showed that the Mountain View and Shelton Shop intersection did not conform to traffic regulations and recommended a traffic signal be installed. It also showed that a traffic signal was needed at Mountain View and Choptank.
2. VDOT and Stafford County agreed and concurred with the TIA. Stafford County, SCPS and VDOT coordinated planning for both traffic signals (Mountain View & Shelton Shop and Mountain View & Choptank) with SCPS funding the projects through VPSA bond sales. The traffic signal at Mountain View and Choptank has been installed and is operational.
3. Design of the traffic signal at Mountain View and Shelton Shop is 98% complete. Staff in-conjunction with our counsel (Parish, Houck and Snead) have been working with seven (7) impacted landowners to obtain right-of-way for turn lanes and the traffic signal. To date, five (5) landowners have either donated or are in the process of accepting a bona fide offer (developed from land appraisals) and two (2) landowners have refused a bona fide offer.
4. Staff is at an impasse with the two (2) landowners unwilling to accept the appraised value of the land. Staff or counsel has met or contacted the landowners several times

in an effort to reach an agreement. It is the position of staff not to offer more than the appraised amount for the right -of-way. After consulting with our attorney we have been advised the next step is to pursue condemnation of the land. Description of the land parcels to be condemned is outlined in the resolution.

5. The School Board has the authority to condemn land per 22.1-127 of the Code of Virginia. This action is usually reserved as a last resort. The first step in the process is to have the School Board approve a resolution to condemn the land in question (see attached resolution). The resolution also provides our attorney with the authorization to move forward with the condemnation process on the School Board's behalf.

6. Staff plans to advertise the traffic signal construction project through the Stafford County Purchasing Department once all seven (7) plats for the right-of-way and easements have been filed with Stafford County and all required VDOT approvals have been obtained. We anticipate these actions to be completed in the September - October 2006 timeframe. Staff's original goal was to have the traffic signal installed and operational by September 2006. Our revised goal is May 2007.

7. If the resolution is approved by the School Board at the July 11, 2006 School Board meeting, staff will notify our attorney immediately to initiate condemnation proceedings.

SCHOOL BOARD GOAL: #5 – Provide facilities that promote student learning and and community support.

#7 – Provide school environments where teachers are safe to teach and students are safe to learn.

FUNDING SOURCE: VPSA - MVHS

AUTHORIZATION REFERENCE: Section 22.1-127 Code of Virginia